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DT02 Rec'd PCT/PTO

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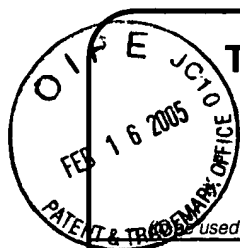
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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

(Use for all correspondence after initial filing)

Total Number of Pages in This Submission

36

Application Number

10/510,249

Filing Date

December 13, 2004

First Named Inventor

Connors

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

EP03-001C-US

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Exelixis, Inc.

Signature

Terri Sale

Printed Name

Terri Sale

Date

February 16, 2005

Reg.  
No.

45,066

## CERTIFICATE OF TRANSMISSION/MAILING

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Angela F. Law

Date

February 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Connors, *et al.*

Attorney Docket No.: EP03-001C-US

Application No.: 10/510,249

Filed: December 13, 2004

For: IDENTIFICATION AND CHARACTERIZATION  
OF AN ANTHOCYANIN MUTANT (ANT1) IN  
TOMATO

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b)(2) and states that the information contained in the attached PTO Form 1449 was first cited in the International Search Report (copy attached) from the International Searching Authority in the counterpart PCT application.

In accordance with §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 CFR §1.56 exists.

In accordance with §1.97(h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

In accordance with §1.97 (b)(2), it is believed that no fees are required, as the disclosure is delivered before the mailing of a first Office action on the merits. However, the Commissioner is authorized to charge any required fees, to deposit account no. 50-1108.

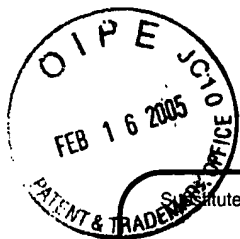
Respectfully submitted,

Dated: February 16, 2005

Terri Sale

Reg. No. 45,066

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10/510249

PTO/SB/08b(08-03)

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Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

### Complete if Known

Application Number	10/510,249
Filing Date	December 13, 2004
First Named Inventor	Connors
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	EP03-001C-US

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	ALFENITO,M., et al., "Functional complementation of anthocyanin sequestration in the vacuole by widely divergent glutathione S-transferases.", Plant Cell, July 1998, p1135-49, 10.	
	2	PROTEGGENTE,A.R., et al., "The antioxidant activity of regularly consumed fruit and vegetables reflects their phenolic and vitamin C composition.", Free Radical Research, February 2002, p217-33, 36-2.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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